



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB2372

Introduced 2/17/2021, by Rep. Fred Crespo

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/Art. 11 Div. 15.5 heading new  
65 ILCS 5/11-15.5-5 new  
65 ILCS 5/11-15.5-10 new

Amends the Illinois Municipal Code. Defines "underground" and "undergrounding". Provides that public utilities shall underground specified electric transmission lines under certain conditions. Provides that the Illinois Commerce Commission shall allow a public utility to recover from all retail customers in its service territory all reasonable and prudent costs that it incurs related to the undergrounding of such transmission lines. Provides that a public utility shall record and defer such costs as a regulatory asset to be included in the public utility's total rate base and amortized over a reasonable period that is equal to the expected life of such transmission line. Effective immediately.

LRB102 14303 AWJ 19655 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by  
5 adding Division 15.5 to Article 11 as follows:

6 (65 ILCS 5/Art. 11 Div. 15.5 heading new)

7 DIVISION 15.5. UNDERGROUNDING UTILITY FACILITIES

8 (65 ILCS 5/11-15.5-5 new)

9 Sec. 11-15.5-5. Definitions. As used in this Division and  
10 unless the context requires otherwise, "underground" or  
11 "undergrounding" means routing and constructing electric  
12 transmission lines and their associated components below  
13 ground, consistent with sound engineering and utility  
14 practices.

15 (65 ILCS 5/11-15.5-10 new)

16 Sec. 11-15.5-10. Undergrounding utility facilities.

17 (a) In the interest of public health and safety,  
18 reliability, and electric grid security, a public utility, as  
19 defined by Section 3-105 of the Public Utilities Act, shall  
20 underground any 138 kilowatt or greater electric transmission  
21 line constructed after the effective date of this amendatory

1 Act of the 102nd General Assembly where:

2 (1) such transmission line or any portion thereof is  
3 to be located within 26,000 feet of an airport that is  
4 located in and owned by a municipality with a population  
5 greater than 70,000 and less than 80,000 located in or  
6 contiguous to a county with a population in excess of  
7 1,000,000 inhabitants; or

8 (2) such transmission line is to be located in 4 or  
9 more contiguous municipalities with a population density  
10 of 1,000 per square mile or more as of the most recent  
11 federal decennial census.

12 (b) The costs for undergrounding a new transmission line  
13 shall not be allocated solely to the municipality or  
14 municipalities in which it is underground; instead, the  
15 Illinois Commerce Commission shall allow a public utility to  
16 fully recover from all retail customers in its service  
17 territory all reasonable and prudent costs that it incurs  
18 related to the undergrounding of transmission lines. The  
19 public utility shall record and defer such costs as a  
20 regulatory asset to be included in the public utility's total  
21 rate base and amortized over a reasonable period that is equal  
22 to the expected life of the transmission line. Such regulatory  
23 assets shall be collected from all ratepayers system-wide, and  
24 not only from ratepayers in the corporate limits of the  
25 municipality or municipalities within which the transmission  
26 line is constructed.

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.